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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, ) CASE NO.: CR99-0537-MJP  
10 Plaintiff, )  
11 v. ) SUMMARY REPORT OF U.S.  
12 CARL WALLACE SIEMERING, ) MAGISTRATE JUDGE AS TO  
13 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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15 An evidentiary hearing on supervised release revocation in this case was scheduled before  
16 me on June 7, 2005. The United States was represented by Floyd G. Short and the defendant by  
17 Thomas W. Hillier II. The proceedings were recorded on cassette tape.

18 Defendant had been sentenced on or about December 13, 1999 by the Honorable Marsha  
19 J. Pechman on a charge of Bank Fraud and sentenced to 54 Months Custody, 5 years Supervised  
20 Release.

21 The conditions of supervised release included requirements that defendant comply with all  
22 local, state, and federal laws and with the standard conditions of supervision. Other special  
23 conditions included no firearms, narcotic addiction/drug dependency treatment and testing, refrain  
24 from alcohol and other intoxicants, submit to search, participate in a mental health program,  
25 provide access to financial information, no new credit without approval of probation officer,  
26 restriction on self-employment and other employment restrictions as specified, restrictions on

01 possessing identification documents in any but defendant's true name, and restitution in the  
02 amount of \$749,812.35.

03 On January 15, 2004, defendant admitted to violating the terms of supervised release by  
04 failing to notify his probation officer of a change in residence, failing to notify his probation officer  
05 of a change in employment, failing to follow the instructions of his probation officer, and obtaining  
06 new credit and a loan without the permission of his probation officer. (AR 249) An additional  
07 allegation regarding failure to follow the instructions of his probation officer was also admitted,  
08 and a nine month sentence of incarceration was imposed, followed by three months in a  
09 community corrections center and 24 months supervised release. Additional terms of supervised  
10 release were imposed, restricting defendant from driving a vehicle registered to anyone else  
11 except in an emergency, purchasing or registering a vehicle or other item in anyone else's name,  
12 and selling or bartering for goods without permission. (AR 261)

13 In an application dated March 21, 2005, Senior U.S. Probation Officer Calvin K. Bouma  
14 alleged the following violations of the conditions of supervised release (AR 266):

15 1. Driving a vehicle not registered or owned by him on or about March 9, 2005 in  
16 violation of the special condition that he not drive any vehicle registered to anyone other than  
17 himself except in an emergency situation.

18 2. Making a false statement to the probation officer on or about March 14, 2005 in  
19 violation of standard condition No. 3.

20 Defendant was advised in full as to those charges and as to his constitutional rights.

21 Defendant admitted each of the alleged violations and waived any evidentiary hearing as  
22 to whether they occurred.

23 I therefore recommend the Court find defendant violated his supervised release as alleged  
24 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
25 set before Judge Pechman.

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01 Pending a final determination by the Court, defendant has been released on the conditions  
02 of supervised release.

03 DATED this 7th day of June, 2005.

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05 Mary Alice Theiler  
06 United States Magistrate Judge

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08 cc: District Judge: Honorable Marsha J. Pechman  
09 AUSA: Floyd G. Short  
10 Defendant's attorney: Thomas W. Hillier II  
11 Probation officer: Calvin K. Bouma  
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